

REMARKS

This application has been carefully reviewed in light of the Office Action dated March 8, 2006. Claims 1 to 6, 8, 11 to 21, 23 to 29, 31 and 34 to 55 are pending the application, with Claim 22 having been cancelled. Claims 1, 6, 11, 12, 16, 20, 21, 23, 24, 39 and 55 have been amended, and Claims 1, 23, 24 and 55 are in independent form. Reconsideration and further examination are respectfully requested.

Claim 22 was rejected under 35 U.S.C. § 101 for allegedly claiming non-statutory subject matter. Claim 22 has been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of its rejection. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 6, 11, 20, 21, 29, 34, 43 and 44 were rejected under 35 U.S.C. § 112, second paragraph, for alleged indefiniteness.

Regarding Claims 6, 11, 20 and 21, each of these claims have been amended. Reconsideration and withdrawal with respect to these claims are therefore respectfully requested.

The § 112, second paragraph, rejection is respectfully traversed with respect to Claims 29, 34, 43 and 44. In particular, it was alleged that there is insufficient antecedent basis for the recited "means for" terms. Applicants respectfully disagree, since the "means for" language in each of these claims is not preceded by a definite article (e.g., "the" or "said").

Claims 1, 2, 15 to 18, 20 to 25, 38 to 44, 49 and 54 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,687,878 (Eintracht) in view of U.S. Patent No. 5,821,931 (Berquist); Claims 3 to 6, 8, 11, 13, 26 to 29, 31, 34, 36, 45 to 48, 50 to 53 and

55 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of U.S. Patent No. 6,597,800 (Murray); Claims 12 and 35 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of Murray and U.S. Patent No. 6,021,221 (Takaha); Claims 14 and 37 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of Murray and U.S. Patent No. 6,616,701 (Doyle); and Claims 19 and 42 were rejected under 35 U.S.C. § 103(a) over Eintracht in view of Berquist and further in view of U.S. Patent No. 6,976,229 (Balabanovic). Claim 22 has been cancelled without prejudice or disclaimer of the subject matter and without conceding the correctness of its rejection. Reconsideration and withdrawal of the rejection of the remaining claims are respectfully requested.

The present invention generally concerns annotating an image. Among its many features, the present invention provides for (i) displaying a plurality of predetermined icons each labelled with one or more predetermined metadata labels, (ii) detecting selection of at least one of the displayed plurality of predetermined labelled icons, and (iii) determining a location of a subject rendered within an image displayed adjacent to the displayed plurality of predetermined labelled icons based on a selection of the subject, wherein the one or more predetermined metadata labels associated with the selected icon relate to the selected subject.

By virtue of the foregoing, in which the plurality of displayed icons are predetermined and in which each of the plurality of predetermined icons is labelled with one or more predetermined metadata labels, a user of the system is not necessarily required to enter text for an icon after an image is displayed. Thus, system efficiency and usability are seen to be improved.

Referring specifically to the claims, independent Claim 1 as amended is directed to a method of annotating an image. The method includes the steps of displaying a plurality of predetermined icons each labelled with one or more predetermined metadata labels, displaying the image adjacent to the displayed plurality of predetermined labelled icons, detecting selection of at least one of the displayed plurality of predetermined labelled icons, and determining a location of a subject rendered within the image based on a selection of the subject. The one or more predetermined metadata labels associated with the selected icon relate to the selected subject. The method also includes the steps of linking the one or more predetermined metadata labels associated with the selected icon with a description of the location of the selected subject within the image, and storing the linked one or more predetermined metadata labels and the description as an annotation of the image.

Independent Claims 23 and 24 are respectively directed to a computer readable medium and an apparatus which are seen to generally correspond to Claim 1.

Independent Claim 55 as amended is directed to a method of annotating an image. The method includes the steps of displaying a plurality of predetermined icons each labelled with one or more predetermined metadata labels, displaying the image adjacent to the displayed plurality of predetermined labelled icons, detecting selection of at least one of the displayed plurality of predetermined labelled icons, and determining a location of a subject rendered within the image based on a selection of the subject. The one or more predetermined metadata labels associated with the selected icon relate to the selected subject. The method also includes the steps of forming a bounded region within the image about the location at which the subject is rendered in the image, the bounded region being

configured to substantially surround the subject, linking the one or more predetermined metadata labels associated with the selected icon with a description of the bounded region, and storing the linked one or more predetermined metadata labels and the description as an annotation of the image.

The applied art is not seen to disclose or to suggest the features of the invention of the subject application. In particular, Eintracht, Berquist, Murray, Takaha, Doyle and Balabanovic are not seen to disclose or suggest at least the features of (i) displaying a plurality of predetermined icons each labelled with one or more predetermined metadata labels, (ii) detecting selection of at least one of the displayed plurality of predetermined labelled icons, and (iii) determining a location of a subject rendered within an image displayed adjacent to the displayed plurality of predetermined labelled icons based on a selection of the subject, wherein the one or more predetermined metadata labels associated with the selected icon relate to the selected subject.

As understood by Applicants, Eintracht discloses a system for collaborative document annotation whereby notes can be created by creating a box in which the user can enter text. Specifically, a user selects an annotation tool and places the cursor in the area of the image where it is desired to place a note. In this way, the box is created. Once the box is created, the user can enter text. See Eintracht, column 15, lines 10 to 13.

Once text is entered into the box by the user, the text appears in the form of a "stick" note that appears on top of the image. A note anchor is created at the location the user placed the note. Eintracht, column 15, lines 13 to 23. The user can select to view annotations overlying the image. See Eintracht, column 14, lines 14 to 22; and Figure 1B.

Although Eintracht may be seen to disclose that a box can be created and that a user can enter text into the box, Eintracht is not seen to disclose or suggest the display of a plurality of icons which are predetermined, muchless that the plurality of predetermined icons are each labelled with one or more predetermined metadata labels. In other words, instead of displaying a plurality of icons which are predetermined, the box in Eintracht is created and text is entered after an image has been displayed.

As a consequence, since Eintracht is not seen to disclose or suggest the display of a plurality of icons which are predetermined, Eintracht could not be seen to disclose detecting selection of at least one of the displayed plurality of predetermined labelled icons, and determining a location of a subject rendered within an image displayed adjacent to the displayed plurality of predetermined labelled icons based on a selection of the subject, wherein the one or more predetermined metadata labels associated with the selected icon relate to the selected subject. In addition, Eintracht is not seen to suggest the attendant benefits provided by the foregoing features.

Berquist is not seen to compensate for the deficiencies of Eintracht. As understood by Applicants, Berquist discloses that a user can create a "new note," which is displayed with an insert symbol, and that the user can then enter text into the note. See Berquist, column 10, lines 50 to 54.

As such, Berquist is seen to disclose that a new note can be created by a user and that the user can enter text in the new note. However, the new notes of Berquist are not seen to correspond with the claimed plurality of icons which are predetermined. Moreover, Berquist is not seen to disclose or suggest labelling each of the plurality of predetermined icons with one or more predetermined metadata labels.

Accordingly, Berquist is not seen to disclose or suggest (i) displaying a plurality of predetermined icons each labelled with one or more predetermined metadata labels, (ii) detecting selection of at least one of the displayed plurality of predetermined labelled icons, and (iii) determining a location of a subject rendered within an image displayed adjacent to the displayed plurality of predetermined labelled icons based on a selection of the subject, wherein the one or more predetermined metadata labels associated with the selected icon relate to the selected subject. In addition, Berquist is not seen to suggest the attendant benefits provided by the foregoing features.

In addition, Murray, Takaha, Doyle and Balabanovic have been reviewed and are not seen to compensate for the deficiencies of Eintracht and Berquist.

Accordingly, based on the foregoing amendments and remarks, independent Claims 1, 23, 24 and 55 as amended are believed to be allowable over the applied references.

The other claims in the application are each dependent from the independent claims and are believed to be allowable over the applied references for at least the same reasons. Because each dependent claim is deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

Turning now to a formal matter, the Examiner is respectfully requested to indicate consideration of the Information Disclosure Statement dated March 10, 2006 by initialing the appropriate portion of the Form PTO-1449 and returning the initialed form to Applicants with the next communication.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


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